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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,661	03/10/2004	Kei Hiruma	9319G-000730	3945

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EXAMINER

SCHECHTER, ANDREW M

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 08/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/797,661	Applicant(s) HIRUMA, KEI	
	Examiner Andrew Schechter	Art Unit 2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-22, 27 and 28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22, 27 and 28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Response to Arguments

2. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection. The previous rejections have been modified to reflect the amendments to the claims.

Terminal Disclaimer

3. The terminal disclaimer filed on 1 June 2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of any patent granted on application 10/850,837 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 16-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Hsieh et al.*, U.S. Patent No. 6,867,840 in view of *Yamamoto et al.*, Japanese Patent Document No. 09-138410.

Hsieh discloses [see Fig. 3E, for instance] a liquid crystal arrangement device comprising a discharge unit for discharging liquid crystal [170] to arrange the liquid crystal on a substrate [100], and the discharge unit comprising a plurality of nozzles which discharge liquid crystal in a form of liquid droplets. *Hsieh* does not disclose that there is a controller that controls an interval between the liquid crystal discharged from the nozzles based on a diameter of the liquid droplets after impact of the liquid droplets on the substrate, which was measured in advance. This has two parts: the controller, and what is considered when determining the arrangement pitch of the liquid droplets.

Yamamoto discloses [see Fig. 7] having the nozzles move along the substrate at a certain rate; this inherently requires a controller which controls the rate and thus the interval between the droplets. *Yamamoto* also teaches [see Fig. 7] that when using an ink-jet/nozzle technique, the diameter of the liquid droplets after impact of the liquid droplets on the substrate should be considered, since having droplets too far apart [as in Fig. 7b] leads to separated droplets on the substrate and an uneven coverage of the substrate, for instance. It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to use a method in which an interval between the liquid droplets is determined based on a diameter of the liquid droplets after impact on the substrate, which would have to be measured in advance (or the teaching could not be applied). Claim 20 is therefore unpatentable.

The use of the arrangement device discussed above results in the method recited in claim 16, determining an arrangement pitch of the liquid droplets to be arranged in line [left to right in Fig. 7 of *Yamamoto*], with the interval determined as recited, and discharging the liquid droplets from nozzles while maintaining the arrangement pitch, so claim 16 is also unpatentable.

The arrangement pitch, as seen from *Yamamoto*, is a result-effective variable whose optimization would have been obvious to one of ordinary skill in the art at the time of the invention. Furthermore, *Yamamoto* teaches having it be roughly equal to the diameter of the liquid droplets after impact (to obtain even coverage over the substrate). Claim 17 is therefore unpatentable. This applies similarly to the interval between the nozzles in order to obtain the proper coverage in the perpendicular direction, so claim 21 is also unpatentable.

Hsieh discloses a plurality of pixel regions composed of a plurality of pixels on the substrate and coating the liquid droplets onto each of the plurality of pixel regions, so claim 18 is also unpatentable. The interval between the nozzles and the arrangement pitch of the liquid droplets in *Hsieh* appears to be roughly equal to the arrangement pitch of the plurality of pixel regions; whether it is or not, as discussed above this is a result-effective variable whose optimization would have been obvious to one of ordinary skill in the art at the time of the invention; it would therefore have been obvious to one of ordinary skill in the art at the time of the invention to optimize it to be roughly equal to the diameter of the liquid droplets after impact, so claim 19 is also unpatentable.

Hsieh discloses a plurality of pixel regions arranged on the substrate, and appears to disclose aligning each impact location of the liquid droplets with each location of the pixel regions (if not, this would have been an obvious matter of optimization as discussed above). However, *Hsieh* does not disclose a drive system for moving the nozzle and the substrate relative to each other (*Hsieh* shows only a cross-sectional slice of its device, and is silent on how the entire substrate is covered).

Yamamoto discloses [see Figs. 6 and 7, for instance] an inkjet device with a plurality of nozzles [Fig. 6] as shown in *Hsieh*, which covers the entire substrate by being moved by a drive system [inherent in Fig. 7]. It would have been obvious to one of ordinary skill in the art at the time of the invention to use such a drive system in the device of *Hsieh*, motivated by the desire to use a single small set of nozzles to efficiently and flexibly cover substrates of varying sizes. Claim 22 is therefore unpatentable.

6. Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Hsieh et al.*, U.S. Patent No. 6,867,840 in view of *Yamamoto et al.*, Japanese Patent Document No. 09-138410 as applied above, and further in view of *Yamamoto et al.*, US 2004/0201818.

Yamamoto '818 discloses [see Fig. 5] a ink-jet nozzle system in which the nozzles are controllable (by a controller). It would have been obvious to one of ordinary skill in the art at the time of the invention to use such an ink-jet system, motivated by the desirability of being able to control the nozzles to turn on and off.

In the device and method discussed above, liquid is dropped from all the nozzles shown in *Hsieh* and *Yamamoto*; alternatively stated, the arrangement pitch is obtained

by selecting all the nozzles, and the nozzles have a pitch equal to the arrangement pitch. Similarly, the controller controls the interval in part by selecting all the nozzles, as well as in part by selecting the drive speed. [The examiner notes that the claims do not explicitly require the selection of a subset of the plurality of nozzles.] Claims 27 and 28 are therefore unpatentable.

Conclusion


7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Schechter whose telephone number is (571) 272-2302. The examiner can normally be reached on Monday - Friday, 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Nelms can be reached at (571) 272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Andrew Schechter
Primary Examiner
Technology Center 2800
13 August 2006